

Appl. 10/753,396  
Response dated November 4, 2005  
Reply to Office Action of August 4, 2005

## **REMARKS/ARGUMENTS**

This amendment is provided to amend claims 1, 3 and 5, and add new claims 6-11. No new matter has been added. Upon entry of this amendment, claims 1-11 will be pending.

### **Claim Rejections Under 35 U.S.C. §103**

The Examiner has rejected claims 1-5 under 35 U.S.C. §103(a). Specifically, the Examiner has rejected claim 1 as being unpatentable over U.S. Published Patent Application No. 2003/0227564 A1 issued to Lim (hereinafter Lim), in view of Japanese Published Application JP 2002-12502A issued to Tatsu Takahashi (hereinafter Takahashi). The Examiner has also rejected claim 2 as being unpatentable over Lim, and in view Takahashi and U.S. Patent No. 6,314,183 B1 issued to Pehrsson et al. (hereinafter Pehrsson). The Examiner has also rejected claims 3, 4 and 5 as being unpatentable over U.S. Published Patent Application No. 2003/0125080 A1 issued to Shimamura (hereinafter Shimamura), in view of Lim. The Applicant respectfully traverses the above rejections for the reasons discussed below.

With respect to independent claim 1, the Examiner states that Lim discloses a motor driving section and a motor as claimed by the Applicant for driving a photographing angle of a camera lens. The Examiner further states that Takahashi discloses a first and second sensor as claimed by the Applicant.

However, the Lim reference only discloses the use of a user operable switch (sw) for manually controlling the position of the camera (50) (see Lim paragraph 84). Lim does not disclose, teach or suggest automatically controlling the camera angle, and could not do so lacking the sensors of Applicant's amended independent claim 1. The Applicant has amended independent claim 1 to more clearly illustrate that the adjustment of the camera is performed automatically. This is not new matter and is supported at various locations in the

specification (see page 11, lines 10-16 and page 14, lines 29-32). Manual user input is not required as disclosed by the Lim reference.

As noted above, the Examiner further states that Takahashi discloses a first and second sensor as claimed by the Applicant, and that it would be obvious to automatically detect an open position and control a motor driving section and motor to adjust the camera. However, the Applicant has further amended claim 1 to more clearly illustrate that an embodiment of the present invention further comprises a motor driving section for “receiving a predetermined photographing angle and automatically generating a motor driving signal” which is used to automatically adjust the camera. This is not new matter, and is supported at various locations in the specification (see page 7, lines 12-21, and Figs. 2 and 3).

The predetermined photographing angle data can be stored in a memory, such as the motor driving table. Such data can comprise predetermined data, and/or the data can be set or updated by monitoring accumulated motor driving data. The Applicant has added new dependent claims 6-11 to claim these features more clearly. The Applicant has further added new dependent claim 8 to more clearly claim the ability to finely adjust the photographing angle.

With respect to the rejection of independent claim 1, the Applicant respectfully submits that the Lim and Takahashi references alone or in combination, fail to disclose, teach or suggest the unique combination of a first and second sensor, a motor driving section for receiving predetermined photographing angle information, and a motor for automatically adjusting a camera based upon received information when sensor signals indicate an open device position as recited in Applicant’s amended independent claim 1.

Specifically, the Lim and Takahashi references alone or in combination fail to disclose, teach or suggest, an automatic motor driving section for receiving predetermined photographing angle information and an opening signal, and based thereon, automatically adjusting a photographing angle as claimed by the Applicant in independent claim 1. Therefore, the Applicant respectfully requests the withdrawal of the rejection of amended

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independent claim 1, and respectfully requests the withdrawal of the rejection of the remaining dependent claims which are dependent from independent claim 1.

The Examiner has also rejected claims 3, 4 and 5 as being unpatentable over Shimamura, in view of Lim.

With respect to independent claims 3 and 5, the Examiner states that Shimamura discloses a first and second sensor to detect an open device position (that is, the flip sensor 51), and that Lim discloses the adjustment of a photographic angle.

However, as noted above, Lim does not disclose, teach or suggest automatically controlling the camera angle, and could not do so lacking the sensors of Applicants amended independent claims 3 and 5. The Applicant has amended independent claims 3 and 5 to more clearly illustrate that the adjustment of the camera is performed automatically.

As noted above, the Examiner further states that Shimamura discloses a first and second sensor as claimed by the Applicant, and that it would be obvious to automatically detect an open position and control a motor driving section and motor to adjust the camera. The Examiner further states the Shimamura discloses adjusting a lens according to predetermined data. However, the predetermined data control of the Shimamura reference is directed to the main display (see Shimamura paragraph 99) and does not provide for data update or accumulation as claimed by the Applicant in amended claims 3 and 5, and new dependent claims 9 and 11.

The Applicant has further amended claims 3 and 5 to more clearly illustrate that an embodiment of the present invention further comprises steps for storing adjustment data which is used to automatically adjust the camera. This is not new matter, and is supported at various locations in the specification (see page 7, lines 12-21). The stored data can comprise predetermined data, and/or can be set or updated by monitoring accumulated motor driving data.

With respect to the rejection of independent claims 3 and 8, the Applicant respectfully submits that the Lim and Shimamura references alone or in combination, fail to disclose, teach or suggest the unique combination of steps of storing and/or updating predetermined

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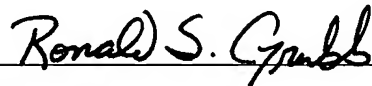
data, detecting a sensor state, and in response, automatically adjusting a camera based upon the stored data as recited in Applicant's amended independent claims 3 and 5.

Specifically, the Lim and Shimamura references alone or in combination fail to disclose, teach or suggest, storing and/or updating predetermined photographing angle information as claimed by the Applicant in independent claims 3 and 5. Therefore, the Applicant respectfully requests the withdrawal of the rejection of amended independent claims 3 and 5, and respectfully requests the withdrawal of the rejection of the remaining dependent claims which are dependent from independent claims 3 and 5.

### **Conclusion**

In view of the foregoing, it is believed that the application, including claims 1-11, is in condition for allowance and notice to this effect is respectfully requested. Should the Examiner have any questions, the Examiner is invited to contact the undersigned at the telephone number indicated below.

Respectfully submitted,

  
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